IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 19647 of 2004

Between:

K.Balarama Raju S/o.K.Reddaiah Raju
R/o.51/85-A2, Kothapeta Village,

Rayachoti Mandal, Kadapa District. **..... PETITIONER**

AND

1.The Secretary,

Regional Transport Authority,

Kadapa, Kadapa District.
2.The Asst. Motor Vehicle Inspector,

Thirupathi, Chittoor District. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order direction more particularly one in the nature of writ of mandamus, declaring the action of the 2nd respondent in seizing and detaining the petitioner's vehicle bearing Registration No. AP 04 D 3222 vide vehicle Check Report No.2838560 dt.20.9.2004 under Section 8 of A.P.M.V. Taxation Act and Sec.207 of the M.V.Act as illegal arbitrary and unconstitutional and consequently direct the respondents to release the vehicle bearing Registrarion No.AP 04 D 3222 to the petitioner herein.

Counsel for the Petitioner: MR.B.CHANDRA SHEKHAR

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following :

ORDER: **(PER Sri Bilal Nazki, J)**

Heard learned Counsel for the parties. The petition is disposed of at this stage. It appears that a vehicle has been seized on the allegation that the required tax has not been paid for it and enquiry is pending. Let the matter be decided in the enquiry by the competent authority after hearing the petitioner. In the meantime, the vehicle be released on payment of the tax component.

Writ Petition is accordingly disposed of. No costs.

(BILAL NAZKI, J)

27th October, 2004

(S.ANANDA REDDY, J)

Note:

Issue CC in two days.

B/o

LUR

Copy to:

1.The Secretary,

Regional Transport Authority,

Kadapa, Kadapa District.
2.The Asst. Motor Vehicle Inspector,

Thirupathi, Chittoor District.

3.Two CCs to the G.P for Transport,

High Court Buildings, High Court of A.P.,

Hyderabad (O.U.T)

4.Two CD copies.